

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL GUY MALLONEE, et al.

Plaintiffs,

v.

YVONNE WHEELER, et al.,

Defendants.

CASE NO. C12-1016 RAJ

ORDER

This matter comes before the court *sua sponte*. On July 6, 2012, the court ordered plaintiffs to show cause why their complaint should not be dismissed for lack of jurisdiction. Dkt. # 8. On July 13, 2012, plaintiffs filed a response and an amended verified complaint. Dkt. # 10-11. On July 19, 2012, the court vacated the order to show cause based on the amended verified complaint. Dkt. # 16. On July 26, 2012, plaintiffs clarified that the amended verified complaint was a verified criminal complaint that had been pre-dated and was intended to be filed with evidence. Dkt. # 21. Given plaintiffs' clarification, the court now reviews plaintiffs' response to the court's order to show cause to determine if there is a basis for subject matter jurisdiction.

In their response, plaintiffs again identify "admiralty and maritime jurisdiction" as the basis for subject matter jurisdiction. Plaintiffs provide the following as the basis for admiralty jurisdiction:

1 7) We are all vessels; human bags carrying “sea water.” “Our blood has  
2 the same specific gravity as sea water.” In the Bible, a woman is described  
3 as the “weaker vessel.” (2) Cases that involve cargo belonging to the U.S..  
4 [sic] Within the context of our case, when the cargo [the paperwork] of the  
5 United States harms us, the United States gives us a blanket waiver of  
6 immunity, or three, if the United States could be sued in the admiralty if it  
7 were a private party. Since we are going into an international jurisdiction,  
8 (a set aside, fenced territory) every time we go into court, we are entitled to  
9 sue the United States in the admiralty if the United States were a private  
10 party (emphasis added).  
11

12 8) The Bill of Lading Act is another piece of legislation that helps level the  
13 playing field, by imposing liability against carriers that misplace, or miss  
14 deliver [sic] our cargo (paperwork). Cargo can literally be anything. All  
15 manners of things are shipped internationally, from cigarette lighters to  
16 books. So we are not making any sort of stretch to say our paperwork is  
17 cargo. . . .

18 10) The clerk is a public vessel, and the carrier. Our bill of lading  
19 identifies the cargo as the lawsuit, by describing the suit’s postal registry  
20 number that we have placed on the Certificate of service, by describing the  
21 paperwork as having an American flag on the paperwork, etc. . . .

22 Dkt. # 10 at 4-5.

23 Given the above quoted response, and the remainder of plaintiffs’ response, the  
24 court finds that plaintiff has failed to demonstrate that this court has subject matter  
25 jurisdiction through admiralty jurisdiction or otherwise. *See* 28 U.S.C. § 1333. For all  
26 the foregoing reasons, plaintiffs’ complaint is DISMISSED for lack of subject matter  
27 jurisdiction. The clerk is directed to terminate all pending motions and to close this case.

Dated this 27<sup>th</sup> day of August, 2012.



The Honorable Richard A. Jones  
United States District Judge